

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: David O'Leary, et al. Examiner: Nihir Patel
Serial No.: 09/888,199 Group Art Unit: 3743
Filing Date: June 23, 2001
Docket Number: 56327-149 (IVAL-127-1)
Title: RESERVOIR PRESSURE SYSTEM FOR MEDICAMENT INHALER

CERTIFICATE OF MAILING (37 C.F.R. 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

Date: _____

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
JUN -3 2004
TECHNOLOGY CENTER 3700

PETITION FOR REVIVAL UNDER 37 CFR §1.137(b)

Sir:

Applicants respectfully request revival of the subject application in accordance with 37 CFR §1.137(b).

Apparently, an Office Action in the subject application was mailed to the assignee of the Applicants on August 13, 2002. However, the assignee of the Applicants has no record of receiving the Office Action.

On May 20, 2003, the undersigned counsel for the Applicants first received a copy of the Office Action from the above identified examiner during an interview with the examiner at the USPTO in a related application.

The six-month statutory period for response to the Office Action expired February 13, 2003. The delay in filing a timely response to the Office Action was unintentional. A full and complete Response to the Office Action is filed herewith. A Notice of Abandonment has not been received by the Applicants. Applicants respectfully request revival of the subject Application in accordance with 37 CFR §1.137(b).

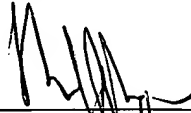
Since the failure to file a timely and proper response to the Office Action dated August

13, 2002 appears to be due to the assignee of the Applicants' failure to receive the Office Action from the USPTO, it is believed no fees are due with respect to the submission of this paper. However, the Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-113.

Date: _____

2 JUNE 2003

Respectfully submitted,



Mark G. Lappin, P.C.
Registration No: 26,618
McDERMOTT, WILL & EMERY
28 State Street
Boston, Massachusetts 02109
Telephone: (617) 535-4043
Facsimile: (617) 535-3800